


**DEPARTMENT OF HUMAN RESOURCES  
SOCIAL SERVICES ADMINISTRATION  
311 WEST SARATOGA STREET  
BALTIMORE, MARYLAND 21201**

DATE: October 15, 2015

POLICY #: SSA-CW # 16-17

TO: Directors, Local Departments of Social Services  
Assistant Directors of Social Services  
Local Departments of Social Services  
Resource Unit Administrators and Staff

FROM: Tracey Paliath, Deputy Secretary of Programs  
Social Services Administration 

RE: Reasonable and Prudent Parent Standard

PROGRAMS AFFECTED: Out-of-Home Placement Services (Foster Care Services)  
And Resource Units

ORIGINATING OFFICE: Placement Services and Inter-Agency Initiatives

ACTION REQUIRED OF: All Local Departments

REQUIRED ACTION: Implement policy and procedures for the reasonable and prudent resource parent standard as stated in the "Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183.

ACTION DUE DATE: Immediately

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## **PURPOSE:**

The purpose of this policy directive is to ensure that local departments of social services and public resource parents are educated and knowledgeable of the reasonable and prudent parent standard and to ensure that the standard is applied appropriately to all children in care. This policy should be used in conjunction with SSA Policy Directive SSA-CW#16-16 Family and Friend Contact.

## **BACKGROUND:**

In September 2014, Congress passed the “Preventing Sex Trafficking and Strengthening Families” Act, Pubic Law (P.L.113-183). In addition to other provisions, the Act establishes “reasonable and prudent” parent standard for decision making. This standard addresses how to ensure that children who enter out of home care and children who are currently in care experience the same type of extracurricular, enrichment, and social activities that a child who is not in care may have the opportunity to experience. The decision and application of the “reasonable and prudent parent” standard is the responsibility of the resource parent. It is the responsibility of the department to ensure resource parents are knowledgeable and have the skills to make reasonable and prudent parent decisions regarding their foster child.

### **Reasonable Prudent Parent Standard:**

The “reasonable and prudent parent” is characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child. A caregiver (resource parent) must use the standard when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular and social activities. The activities should be age or developmentally appropriate. An age or developmentally appropriate activity is an activity for a child of a certain age or maturity level based on the capacities typical for the age group and the individual child. Training will be provided to the resource parents to equip them with the knowledge and skills to apply this standard.

### **Resource Parent Responsibilities**

The resource parent is responsible for making decisions regarding the child’s participation in age or developmentally appropriate activities. Social activities such as dating, day outings and/or overnight visits with friends, participation in clubs and/or after school activities are all activity opportunities for a child. Resource parents who parent the medically fragile population should also be knowledgeable of the standard as children who have a medical, emotional, and/or physical disability should not be alienated from social activities. The child’s disability alone should not be the sole determinant in what activities the child can participate.



If the resource parent feels unsure or unclear about making a decision, they should consult with their resource worker and the child's caseworker for assistance in making a decision that is "reasonable and prudent" and whether the activity is age and/or developmentally appropriate. If the child disagrees with the resource parent's decision, they should be able to communicate their feelings with their caseworker and request a meeting. The meeting can include the child's chosen "reasonable and prudent" advisor/advocate.

### **Applying the "reasonable and prudent" parent standard**

In applying the reasonable and prudent parent standard, the following areas should be taken into consideration: (1) Maturity, (2) Safety, and (3) "Normalcy"

- Maturity
  - The following are examples of questions to consider when applying this standard:
  - What is the child's age?
  - What is the child's developmental level?
  - What is the child's maturity level?
  - Is the child able to make decisions that are appropriate?
  - What is the child's behavioral history and ability?
  - What level of supervision does the child require?
- Safety
  - Is the activity safe?
  - What are the risks associated with the activity?
  - Is the activity in line with the agency's policies or procedures?
  - What are the legal or policy barriers (curfew, learner's permit)?
  - What level of supervision does the activity require?
- "Normalcy"
  - Does the activity encourage the child's emotional growth?
  - Does the activity encourage social or cultural interaction?
  - Is the activity in the child's best interest ?
  - Does the activity promote the child's well-being?
  - Does the activity promote "normalcy" for the child?

### **Resource Worker Responsibilities**

Resource workers are required to ensure that resource parents are applying the standard correctly in parenting the child in their home and provide support and guidance to resource parents as deemed appropriate. Resource parents should be able to demonstrate to the worker how they are applying the standard to all of the child in their home. Workers are responsible for encouraging the parent and providing any suggestions that may support the parent in making the appropriate decision. The caseworker should take the opportunity as part of the annual recertification process to discuss the standard with resource parents, especially those who parent children ages 14 and older.

### **Case worker Responsibilities**

The child's caseworker is responsible, during their monthly visits, for ensuring that the child(ren) in the resource home are able to participate in social, cultural, and extra-curricular activities that are age or developmentally appropriate. The caseworker should also encourage the child to participate in these activities and ensure that the child and resource parent provider have access to such activities.

### **Measure of Compliance**

The resource worker is responsible for verifying that the standard is documented in the MD CHESSIE resource home contact file cabinet. Resource parents who attend the pre-service training are required to have documentation that they have been trained on the standard and agree to apply the standard while parenting children in their care during the pre-service training. The Resource Parent Agreement (Attachment A) must be signed by the in-service trainer and resource parent and a copy forwarded to the resource parent caseworker to be placed in the MD CHESSIE resource home file cabinet. These standards will be measured during the QA case record reviews conducted by SSA.

### **Training and Certification Requirements**

Local Department PRIDE trainer(s) are required to incorporate the "reasonable and prudent parent" webinar into the existing PRIDE training. By November 2015, all resource home PRIDE trainers will be scheduled to attend and participate in a mandatory Web-Ex overview of the "reasonable and prudent parent" standard.

Training of resource parents will include an addition to the PRIDE pre-service training and a in-service training module for all existing resource parents. The resource parent and PRIDE trainer will ensure that the Resource Parent Agreement form is signed after the training is completed. All existing resource parents are mandated to complete the training module by September 30, 2016 at which time verification must be provided to the resource worker to document the certification in MD CHESSIE.



## RESOURCE PARENT AGREEMENT

As a resource parent(s) of any child placed with me/us by the

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----- --:-- -- -- Department of Social Services, I/we understand and agree that legal custody and control of the child (ren) at all times remains with the Department. I/we understand that foster care is a temporary situation and I/we as resource parent(s) agree to cooperate fully with the Department in its efforts to reunify the child (ren) with his/her family. I/we understand that a child placed in my/our home for adoption also remains in the legal custody and control of the department and that this agreement remains in effect until the court orders a final adoption decree (if applicable). I/we understand and agree to the following:

To uphold the confidentiality of the information given to me/us by the Department about the child and the child's family.

To notify the Department within (5) days of any changes in our household.

To not independently accept a child or an adult for care from an individual or agency other than the agency that approved the foster home.

To inform the foster care/adoption worker of any change in our personal circumstance, health, household composition, or any other relevant factors including any criminal charges, investigations, or other findings related to any crime committed by a household member which may impact the well-being of the children in our care or agency approval of our status as a resource parent(s).

To report any suspected incidents of a child's physical or sexual abuse or neglect to the local department as soon as the incident becomes known to the resource parent(s).

That the length of time a child will remain in my/our home cannot be known at the time the child is placed.

I/We certify that I/we have been adequately trained and are knowledgeable of the "reasonable and prudent parent" standard and agree to apply the standard in making age or developmentally appropriate activity decisions for the child (ren) in my/our care.

That the Department reserves the right to remove any child at its discretion.

That visiting and communication between that child and his /her family will be arranged by the department unless otherwise established by the Department.

That the Department will provide board, medical care, and supervision of the child during his/her placement.

That I/we reserve the right to ask the Department to remove any child; that I/we will consult with the child's worker and give the Department at least (10) working days notice prior to the child's removal.

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RESOURCE PARENT SIGNATURE      DATE      RESOURCE PARENT SIGNATURE      DATE

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TRAINER'S SIGNATURE      DATE